

REGULAR MEETING OF THE BOARD OF COMMISSIONERS  
CITY OF FRANKFORT, KENTUCKY

DECEMBER 20, 2004  
5:00 P.M. (EST)

PRESENT: Commissioner Lynn Bowers  
Commissioner Andrew S. Layson  
Commissioner Robert Roach  
Commissioner Chuck Fletcher  
Mayor William I. May, Jr. (5)  
ABSENT: NONE (0)

Invocation was given by Rev. Herman Bowers.

It was moved by Commissioner Bowers, seconded by Commissioner Fletcher, that the minutes of November 15, 2004 Regular Meeting, December 6, 2004 Special Meeting, December 6, 2004 Work Session, December 8, 2004 Special Meeting, and December 13, 2004 Special Meeting be approved. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Layson, Roach, and Fletcher, and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

There was no Mayor's Report.

It was moved by Commissioner Roach, seconded by Commissioner Bowers, to move the Police Department Promotions from Item 6.12, Personnel, to Ceremonial Items. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Layson, Roach, and Fletcher, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted.

Mayor May recognized the following Police Personnel:

Promotion	Fred Deaton	Police	1/1/05	Major from rank of Captain
Promotion	Jeff Rogers	Police	1/1/05	Captain from rank of Lieutenant
Promotion	Jeff Abrams	Police	1/1/05	Lieutenant from rank of Sergeant
Promotion	Charles Adams	Police	1/1/05	Sergeant from rank of Patrol Officer

Mayor May recognized Police Chief Ted W. Evans for his 22 years of dedicated public service to the City of Frankfort Police Department. Chief Evans acknowledged Major Mark Wilhoite's promotion to Chief of Police January 1, 2005.

"AN ORDINANCE AMENDING ORDINANCE NO. 11, 2004 SERIES, APPROPRIATING THE REVENUE TO BE RECEIVED BY THE CITY OF FRANKFORT" was presented and read. The Ordinance had its first reading November 15, 2004. It was moved by Commissioner Fletcher, seconded by Commissioner Roach, that this ordinance be put upon its final adoption. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Roach and Fletcher, and Mayor May (3). Those voting against the motion were Commissioners Bowers and Layson (2) (due to the item regarding Leonardwood Drive). The motion was thereupon adopted (Ordinance No. 23, 2004 Series).

"AN ORDINANCE REZONING PROPERTY LOCATED AT 519 ANN STREET FROM "RH" HIGH DENSITY MULTI-FAMILY DISTRICT) TO "SH" (SPECIAL HISTORIC) was presented and read. The Ordinance had its first reading November 15, 2004. It was moved by Commissioner Bowers, seconded by Commissioner Fletcher, that this ordinance be put upon its final adoption. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Layson, Roach, Fletcher, and Mayor

May (5). Those voting against the motion were none (0). The motion was thereupon adopted (Ordinance No. 24, 2004 Series).

"AN ORDINANCE REZONING PROPERTY LOCATED AT 107 SEA HERO ROAD FROM "PC (PLANNED COMMERCIAL) TO "RS" (SPECIAL RESIDENTIAL) was presented and read. The Ordinance had its first reading November 15, 2004. It was moved by Commissioner Bowers, seconded by Commissioner Fletcher, that this ordinance be put upon its final adoption. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Layson, Roach and Fletcher, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted (Ordinance No. 25, 2004 Series).

"RESOLUTION AUTHORIZING EXTENSION OF THE TERM FOR SPECIAL TASK FORCE ON SANITARY SEWER POLICIES FOR THE SEWER DEPARTMENT OF THE CITY OF FRANKFORT, KENTUCKY" was presented. It was moved by Commissioner Bowers, seconded by Commissioner Layson, that this resolution be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Layson, Roach and Fletcher, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted (Resolution No. 10, 2004 Series).

## Consent

The following miscellaneous and personnel items were presented:

- 6.1 Authorization to establish the Juniper Hill Golf Rates for 2005. (Golf)
- 6.2 Authorization to approve the Sports Rates Schedule for 2005 (Parks and Recreation)
- 6.3 Authorization to purchase a 2005 Ford Super Duty F-250 4WD utility truck by State contract from Countryside Motors of Lawrenceburg for the Pump Mechanic crew in the Sewer Department.
- 6.4 Authorization to enter into a Sewer Extension Contract with Ron Hack, Developer of Arnold Ridge Section 3 at Arnold Ridge and Peaks Mill Road in Frankfort, Kentucky (Sewer Department)
- 6.5 Authorization to approve Change Order No. 2, Free Contracting, Inc., for additional work associated with installation of a Parshall Flume and Liquid Oxygen Tank Pad. (Sewer Department)
- 6.6 Authorization to award contract to Siegel's Uniforms for police uniforms (Police Department).
- 6.7 Authorization to declare the Ewing Street force main break an emergency to award contract to purchase bypass pump. (Sewer Department)
- 6.8 Authorization to declaration of the Ewing Street Force Main Break as an emergency to award contract for rental of required response material. (Sewer Department)
- 6.9 Authorization to approve Change Order No. 1 to the City Garage Roof Repair Project contract (Public Works)
- 6.10 Authorization to approve a Sewer Extension Contract with Brock Wainscott, Developer of the Jett Sewer Extension at 1518 to 1582 Versailles Road in Franklin County, Kentucky. (Sewer Department)
- 6.11 Authorization to award bid for Sports Equipment for the 2004-2005 Season to Shively Sporting Goods Sports (Parks & Recreation).
- 6.12 Personnel

<u>Personnel Action</u>	<u>Employee</u>	<u>Department</u>	<u>Effective Date</u>	<u>Other</u>
Resignation	Billy Jack Beverly	Sanitation	12-24-04	Authorize payment of 50.5 Vacation hours
Appointment	Tim J. Puckett	Sewer	1/4/05	Collection System Laborer
Confirmation	John Crum	Fire	12/2/04	Firefighter/Paramedic

\* Conditional Offer of Employment:

Timothy Vandermark	Patrol Officer
Scott W. Morgan	Patrol Officer
Michael Wells	Patrol Officer
Timothy Conner	Patrol Officer

Contingent upon successful completion of physical, psychological, polygraph and drug screen examinations.

\* Funded 50% from 2004 Community Oriented Policing Services (COPS) Universal Hiring Program (UHP)

It was moved by Commissioner Bowers, seconded by Commissioner Roach, that all of the above listed miscellaneous and personnel items be approved. All members being present and no objection having been filed with the City Clerk, the motion was thereupon adopted by general consent.

## **Board Appointments**

Mayor May presented the following Board Appointments for approval:

### **7.1 Board of Ethics**

- Dianne Doss – reappointment – 3-year term, expiring 12-31-07

### **7.2 Board of Park Commissioners**

- Judi Penrod – appointment – completing term of Louis Tandy, expiring 5-1-06.

### **7.3 Capital City Museum Board**

1 Year Term, ending 12-31-05

- Mary Ann Bogart
- Frank W. Sower
- Gippy Graham

2 Year Term, ending 12-31-06

- Gene Burch
- Jim Burch
- Danny Garland
- Charlie Jones

3 Year Term, ending 12-31-07

- Crit Luallen
- Martha Moore
- Mary Smith
- Louis Tandy

### **7.4 Code Enforcement Board**

- Doug Bishop – appointment – completing term of Kathy Carter, expiring 3-22-07.

It was moved by Commissioner Bowers, seconded by Commissioner Fletcher, that the Board appointments recommended Mayor May be ratified. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Layson, Roach, and Fletcher, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted.

## **Old Business**

It was moved by Commissioner Bowers, seconded by Commissioner Roach, to approve settlement of claims, from the contingency fund, asserted against the City by Terry Sutton and claims asserted by the City against Terry Sutton. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Layson, Roach and Fletcher, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted.

## **New Business**

It was moved by Commissioner Bowers, seconded by Commissioner Fletcher, to approve the 2003-2004 Annual Audit for the City of Frankfort. The question was put upon the motion and the roll called. Those

voting in favor of the motion were Commissioners Bowers, Layson, Roach and Fletcher, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted.

It was moved by Commissioner Layson, seconded by Commissioner Roach, to ratify the contract award to Leak Eliminators, LLC to complete the repairs to and separation of the combined sewer in Buffalo Alley. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Layson, Roach and Fletcher, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted.

### **Citizen Comments**

Terry Sutton thanked the Board for approving the settlement agreement, and thanked Commissioner Roach for his service to the Community.

Antoinette Robinson reported on public parking and traffic problems in her neighborhood, and requested a No Parking sign be installed. Commissioner Roach suggested she meet with City Manager, and a report be made to the new Board at a work session.

Lisa Staley reported on code violations in her neighborhood. Mayor May requested she get with City Manager following the meeting.

Randy Pittman reported on additional code problems in the same neighborhood, including a dog breeding operation. Commissioner Layson stated Code Enforcement is a topic for a January work session and an issue the Board needs to address.

### **Commissioner Comments**

Mayor May stated many guests in the audience were present for a reception to honor retiring Commissioner Roach. He recognized several members of the audience.

Commissioner Bowers announced that Habitat House #12, 183 Winding Way, would be dedicated Wednesday, December 22, 2004, at 5:00 p.m. She complimented Commissioner Fletcher for the fine job he has done on the Board. She complimented Police Chief Evans for his service. She stated her respect for Commissioner Roach and the pleasure of serving with him.

Commissioner Fletcher stated he enjoyed serving Frankfort as Commissioner, and thanked the Mayor and Commissioners for allowing him to serve.

Commissioner Layson congratulated Police Chief Evans on his retirement and Major Wilhoite on his promotion to Chief of Police. He thanked Commissioner Fletcher for his service, and congratulated Commissioners-elect Carter and Williams. He stated he has enjoyed serving with Commissioner Roach, that his knowledge has been invaluable to the Board, and wished him the best of luck in his retirement.

Commissioner Roach thanked Commissioner Fletcher for his service. He complimented the City Hall staff. He recounted issues and projects during his tenure and his terms of service with former Commissioners. He noted several issues still before the City and thanked the community for allowing him to serve.

John Roach, Governor's General Counsel and son of Commissioner Roach, read a Proclamation from Governor Ernie Fletcher, declaring December 31, 2004 as Robert Roach, Jr. Day.

State Representative Derrick Graham (former City Commissioner who served with Commissioner Roach) read a Proclamation from Speaker of the House of Representatives Jody Richards commending Commissioner Roach for a job well done.

There being no objection, meeting adjourned at 6:25 p.m. upon motion by Commissioner Roach, seconded by Commissioner Bowers.

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MAYOR

ATTEST:

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CITY CLERK